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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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11 PABLO MORALES, SR. *ET AL.*,
12 *Plaintiff,*
13 vs.
14 CITY OF LOS ANGELES, *ET AL.*,
15 *Defendants.*
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CASE NO. CV 11-04757 SVW (SHx)

**PROTECTIVE ORDER RE:
DISCLOSURE OF CONFIDENTIAL
MATERIALS**

18 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

19 After reviewing the parties' joint Stipulation for Protective Order re: Disclosure of
20 Confidential Materials, and finding good cause therefore, the Court hereby orders:

21 1. Plaintiffs may designate as confidential medical records and diaries and journal
22 entries that contain personal medical and/or psychological information, the production of
23 which may cause great embarrassment, humiliation or shame, and defendants may designate
24 as confidential LAPD's Force Investigation Division report regarding this matter, including
25 any not previously produced photographs, addenda and statements of witnesses contained
26 therein, all of which Defendants believe contain information of a privileged, and
27 confidential, private or sensitive nature, and the public dissemination of which, Defendants
28 believe will jeopardize compelling interests. The designation of confidential shall be made

1 by affixing to such document or writing a legend, such as “Confidential,” “Confidential
2 Documents,” “Confidential Material,” “Subject to Protective Order” or words of similar
3 effect, provided such legend shall not obscure any part of the writing on any document to
4 which it is affixed. All documents and other tangible things so designated, and all
5 information derived therefrom (hereinafter, collectively, “Confidential Information”), shall
6 be treated in accordance with the terms of this stipulation.

7 2. Confidential Information may be used by the persons receiving such
8 information only for the purpose of this litigation.

9 3. Subject to the further conditions imposed by this stipulation, Confidential
10 Information may be disclosed only to the following persons:

11 (a) Counsel for the parties and to paralegal assistants, office clerks,
12 secretaries and other such personnel working under their supervision;

13 (b) Experts and investigators;

14 (c) The Plaintiffs in this action;

15 (d) Such other parties as may be agreed by written stipulation among the
16 parties hereto.

17 4. Prior to the disclosure of any Confidential Information to any person described
18 in paragraph 3(b), 3(c) or 3(d), counsel for the party that has received and seeks to use or
19 disclose such Confidential Information shall first provide any such person with a copy of this
20 stipulation, and shall cause him or her to execute, on a second copy which counsel shall
21 serve on the other party the following acknowledgment:

22 “I understand that I am being given access to Confidential
23 Information pursuant to the foregoing stipulation and order.

24 I have read the Order and agree to be bound by its terms
25 with respect to the handling, use and disclosure of such
26 Confidential Information.

27 Dated: _____/s/_____”

28 5. Service of the second copy on the other party shall be made as to designated

1 experts at the time of the designation and otherwise at the termination of the litigation.

2 6. Upon the final termination of this litigation, including any appeal pertaining
3 thereto, all Confidential Information and all copies thereof shall be returned to the party
4 which produced it, except as to Court personnel. All Confidential Information disclosed to
5 any person or party pursuant to any provision hereof also shall be returned to the producing
6 party.

7 7. If any party who receives Confidential Information receives a subpoena or other
8 request seeking Confidential Information, he, she or it shall immediately give written notice
9 to the producing party's counsel, identifying the Confidential Information sought and the
10 time in which production or other disclosure is required, and shall make reasonable efforts
11 to object to the request or subpoena on the grounds of this stipulation so as to afford the
12 producing party an opportunity to obtain an order barring production or other disclosure, or
13 to otherwise respond to the subpoena or other request for production or disclosure of
14 Confidential Material. Other than objecting on the grounds of this stipulation, no party shall
15 be obligated to seek an order barring production of Confidential Information, which
16 obligation shall be borne by the producing party. However, in no event should production
17 or disclosure be made without written notice to the producing party's counsel unless required
18 by court order after serving written notice to the producing party's counsel.

19 8. A party who or which wishes to file any document in this litigation, which
20 contains, or incorporates Confidential Information shall apply to file such document under
21 seal pursuant to Local Rule 79-5. If the Court approves the application to file the document
22 under seal, the document shall be filed in the manner required by the Local Rules or the
23 Court's Order.

24 9. Counsel for the parties hereto agree to request that any motions, applications
25 or other pre-trial proceedings which could entail the discussion or disclosure of Confidential
26 Information be heard by the Court outside the presence of the jury, unless having heard from
27 counsel, the Court orders otherwise. Counsel for the parties further agree that during any
28 portion of the trial of this action which could entail the discussion or disclosure of

1 Confidential Information, they will request that access to the courtroom be limited to parties,
2 their counsel and other designated representative, experts or consultants who agree to be
3 bound by this stipulation, and court personnel, unless having heard from counsel, the Court
4 orders otherwise.

5 10. Nothing herein shall prejudice any party's rights to object to the introduction of
6 any Confidential Information into evidence, on grounds including but not limited to
7 relevance and privilege.

8 11. The Stipulated Protective Order survives settlement, trial and/or appeal.

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10 ***IT IS SO ORDERED:***

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13 DATED: October 17, 2011

A handwritten signature in black ink, reading "Stephen J. Hillman". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

14 Honorable Stephen J. Hillman
15 UNITED STATES MAGISTRATE JUDGE
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